

REMARKS

Claims 2-13 and 16-24 are active in this application. Support for Claim 24 is found in Claim 3 and the specification as originally filed. Claims 2, 3, 19 and 20 have been amended for clarity. Support for the tumour sample and tumour cells is found in the specification on page 9, lines 13 to page 10, line 10. No new matter has been added by these amendments.

Applicants wish to thank Examiners Chunduru and Fredman for the courteous discussion granted to the Applicants' undersigned representative on October 25, 2002. During this discussion, it was noted that the present claims are to establish the HLA-G expression of a **solid tumour** which is different from Bensussan, who describes detecting HLA-G expression in **cultured** cells. Clearly, these two methods are different.

During the discussion, the Examiners indicated that amending the claims to reflect the analysis of the tumour cells taken from the tumour sample directly would overcome the prior art rejection (see the Interview Summary dated October 25, 2002, Paper no. 17). As amended, the present claims provide methods of establishing the HLA-G expression of a solid tumour by analyzing the tumour cells either by preparing a histological section of the tumour (as in Claim 2) or by lysing the tumour cells (as in Claim 3).

Therefore, in light of the claim amendments submitted herein and the discussion held on October 25, 2002, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) over Bensussan et al.

Concerning the rejection of Claims 3 and 19-23 under 35 U.S.C. § 112, second paragraph, this rejection is believed to have been obviated by the amendment to Claim 3 submitted herein.

Applicants submit that the present application is now ready for allowance. Early notification of such allowance is kindly requested.

Respectfully submitted,

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IN THE CLAIMS

--2. (Amended) A method for establishing the HLA-G expression profile of a solid tumour with a view to selecting a treatment which is suited to said tumour or with a view to monitoring the evolution of said tumour, comprising:

- (i) removing a tumour sample,
- (ii) preparing a histological section from said tumour sample,
- (iii) labeling the tumour cells of the tumour sample obtained in (ii) with antibodies specific for HLA-G membrane-bound and soluble isoforms, and
- (iv) establishing the HLA-G expression profile of said tumour sample by detecting the labelled tumour cells.

3. (Thrice Amended) A method for establishing the HLA-G expression profile of a solid tumour with a view to selecting a treatment which is suited to said tumour or with a view to monitoring the evolution of said tumour, comprising:

- (i) removing a tumour sample,
- [(ii) optionally, labeling the cells of said sample,
- (iii)] (ii) lysing the tumour cells,
- [(iv)] (iii) contacting the lysed tumour cells with various antibodies directed against the class I HLA antigens so as to form HLA-G isoform/antibody complexes, and
- [(v)] (iv) establishing the HLA-G expression profile of said tumour sample by detecting the complexes formed in step (iii) [(iv)].

19. (Amended) The method of Claim 3, wherein subsequent to the contacting in [(iv)]
[(iii)] the cells are immunoprecipitated.

20. (Amended) The method of Claim 3, wherein the detecting in [(v)] [(iv)] comprises
electrophoresis and transfer to a membrane.

24. (New).--